

MESSAGE NO: 9093201 MESSAGE DATE: 04/03/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8129202
MESSAGE #
(s):

CASE #(s): A-570-867

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/01/2005 TO 03/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTION FOR AUTOMOTIVE REPLACEMENT GLASS
WINDSHIELDS FROM CHINA (A-570-867)

MESSAGE NO: 9093201

DATE: 04 03 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 8129202

REFERENCE DATE: 05 08 2008

CASES: A - 570 - 867

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PERIOD COVERED: 04 01 2005 TO 03 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTION FOR AUTOMOTIVE REPLACEMENT
GLASS WINDSHIELDS FROM CHINA (A-570-867)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE
REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE
REQUESTED PURSUANT TO SECTION 751(A)(1) OF THE TARIFF ACT OF
1930 AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S
REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE
MERCHANDISE LISTED BELOW. THEREFORE, IN ACCORDANCE WITH

SECTION 351.212(C) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT AT THE TIME OF ENTRY, EXCEPT FOR THE COMPANIES IDENTIFIED IN PARAGRAPHS 3, 4 AND 5, BELOW.

PRODUCT: AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS

COUNTRY: THE PEOPLE'S REPUBLIC OF CHINA

CASE NUMBER: A-570-867

PERIOD: 04/01/2005 - 03/31/2006

3. AS INDICATED BY MESSAGE NUMBER 8025201, DATED 01/25/2008, FOR ALL SHIPMENTS OF MERCHANDISE MANUFACTURED/EXPORTED BY CHANGCHUN PILKINGTON SAFETY GLASS, CO., LTD, GUILIN PILKINGTON

SAFETY GLASS CO., LTD., WUHAN YAOHUA PILKINGTON SAFETY GLASS CO., LTD AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER APRIL 1, 2005, CBP IS DIRECTED TO RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT.

4. AS INDICATED BY MESSAGE NUMBER 8129202, DATED 05/08/2008, FOR ALL SHIPMENTS OF MERCHANDISE MANUFACTURED OR EXPORTED BY XINYI AUTOMOTIVE GLASS (SHENZHEN) CO., LTD. AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER FEBRUARY

12, 2002, CBP IS DIRECTED TO RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT.

5. AS INDICATED BY MESSAGE NUMBER 8129201, DATED 05/08/2008, FUYAO GLASS INDUSTRY GROUP CO., LTD., AND GREENVILLE GLASS INDUSTRIES, INC. ARE EXCLUDED FROM THE ANTIDUMPING DUTY ORDER ON AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM THE PEOPLES REPUBLIC OF CHINA. ACCORDINGLY, FOR AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS EXPORTED TO THE UNITED STATES BY FUYAO GLASS INDUSTRY GROUP CO., LTD., OR GREENVILLE GLASS INDUSTRIES, INC.,

AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 04/01/2005, THROUGH 03/31/2006, CBP IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION, TO RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT.

6. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

7. NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 04/01/2005 THROUGH 03/31/2006, OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 04/2006 ANNIVERSARY MONTH (71 FR 30864, MAY 31, 2006). FOR ALL OTHER SHIPMENTS OF AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES OR PER-UNIT AMOUNTS.

8. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

9. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS

DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE REGULATIONS.
THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR
TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE
MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED
ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES
IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT
STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT
AND DOUBLE THE ANTIDUMPING DUTIES DUE.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP
OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE
CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD
OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984
OR (202) 482-3577, RESPECTIVELY (GENERATED BY O8: ED).

11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party